

IN RE: PETITION FOR ZONING VARIANCE
SE/cor. Liberty Road and
Marriottsville Road
(9835 Liberty Road)
2nd Election District
2nd Councilmanic District
Exxon Company, USA
Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 88-323-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit the replacement of an existing non-conforming 184 sq.ft. identification sign and pole with a new 158.16 sq.ft. identification sign in lieu of the permitted 100 sq.ft. total for both sides, as more particularly described in Petitioner's Exhibit 1.

The Petitioner, by Charles Vaughn, Construction and Maintenance Engineer with Exxon Company, USA, appeared, testified and was represented by Counsel. Also appearing on behalf of the Petition was David Wang, an Engineer with Frederick Ward & Associates. David H. Stein, representative of the Liberty Communities Development Corporation; John Celentano, President of the Herndon Heights Community Association; and Mary Ginn with the Alliance of Baltimore County Community Councils (ABCs), appeared and testified as Protestants.

Testimony indicated that the subject property, known as 9835 Liberty Road, is located at the corner of Liberty Road and Marriottsville Road, zoned B.L.-C.C.C., and is the site of an Exxon Service Station. Charles Vaughn testified that Exxon is in the process of changing their signs nationwide to modernize them and insure uniformity across the country. Mr. Vaughn testified that at the subject location they propose reducing the present non-conforming sign of 184 sq.ft. to a sign of 158.16 sq.ft. He indicated that due to the location of the site, it is his opinion that the sign as depicted on Petitioner's Exhibit 1 is an appropriate size. Mr. Vaughn and Mr. Wang testified that a smaller sign would not provide adequate opportunity for vehicular traffic to locate the site

in time to permit them to safely enter the station.

David Stein, on behalf of the Liberty Communities Development Corporation testified that he did not feel the size of the proposed replacement sign was necessary. Mr. Stein acknowledged that his association was not aware that the proposed sign was smaller than the existing sign as the Petition did not specify the size of the existing sign. John Celentano, President of the Herndon Heights Community Association referred to his letter dated February 8, 1988 to the Zoning Commissioner, in which he indicated that his Association has no "specific objections" to the proposed variance provided that the sign being considered is equal to or smaller than the existing sign. Mary Ginn on behalf of the ABC's stated that as a matter of policy, they are opposed to any variances to the Baltimore County sign regulations.

The Petitioner seeks relief from Section 413.2F, pursuant to Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.).

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance was granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would

March 18, 1988

Anthony J. DiPaula, Esquire
Covalev & Souzer, P.A.
614 Bosley Avenue
Towson, Maryland 21204

RE: Petition for Zoning Variance
SE/cor. Liberty Road and Marriottsville Road
(9835 Liberty Road)
2nd Election District - 2nd Councilmanic District
Case No. 88-323-A

Dear Mr. DiPaula:

Enclosed please find the decision rendered on the above-referenced case. The Petition for Zoning Variance has been Granted, subject to the restriction noted in the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal to the County Board of Appeals. For further information on filing an appeal, please contact this office.

Very truly yours,

ARTHUR M. NASTARONICZ
Deputy Zoning Commissioner
of Baltimore County

AWB/jls
Enclosures

cc: Mr. David Wang
Mr. John Celentano
Ms. Mary Ginn
Mr. David H. Stein

CERTIFICATE OF PUBLICATION

TOWSON, MD., Jan. 28, 1988
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on Jan. 28, 1988

THE JEFFERSONIAN,

Publisher

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by and through the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified below on Room 100 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland, on Friday, February 19, 1988 at 10:30 a.m. FOR SHOW CAUSE: L.L.I. 494-1394* Variance to allow the replacement of an existing non-conforming 184 sq. ft. sign and pole with a new 158.16 sq. ft. sign and pole in lieu of the allowed 100 sq. ft. total for both sides. In the event that the Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission meets on the 1st and 3rd Mondays of each month at 10:00 a.m. in Room 100 of the County Office Building. Any person desiring to be heard at the hearing should appear in person or by counsel at the hearing and present evidence in support of their position. The Zoning Commission will consider all evidence presented at the hearing and will render its decision on or before the date of the hearing. A copy of the decision will be mailed to the parties to the hearing.

J. ROBERT HARNES
Zoning Commissioner
of Baltimore County
1208 Jan. 28

not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the variance was not granted. It has been established that the requirement from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 18th day of March, 1988 that the replacement of an existing non-conforming 184 sq.ft. identification sign and pole with a new 158.16 sq.ft. (total for both sides) identification sign, in lieu of the permitted 100 sq.ft., be approved, and as such, the Petition for Zoning Variance is hereby GRANTED, subject, however, to the following restriction:

- 1) The Petitioner may apply for his sign permit and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

ARTHUR M. NASTARONICZ
Deputy Zoning Commissioner
of Baltimore County

THE NORTHWEST STAR, INC.
23 Walker Avenue, Suite 3
Pikesville, MD 21208

Phone C53-3800

To: Robyn Clark, Zoning Office
County Office Bldg., Rm. 113
111 W. Chesapeake Ave.
Towson, MD. 21204

TERMS 7% 10 days Net 30

QUANTITY	DESCRIPTION	PRICE	AMOUNT
1/27	Legal advertisement, 3 1/2 col. inches	\$6.40	27.60

TRIPPLICATE

Thank You!

CERTIFICATE OF PUBLICATION

TOWSON, MD., Jan. 28, 1988
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Pikesville, Baltimore County, Maryland before the 1st day of February, 1988, on the first publication appearing on the 27th day of January, 1988, the second publication appearing on the 28th day of January, 1988, and the third publication appearing on the 29th day of January, 1988.

THE JEFFERSONIAN,

Publisher

Cost of a publication, 22.00

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 413.2.F to allow the replacement of an existing non-conforming 184 sq. ft. I.D. sign and pole with a new 158.16 sq. ft. I.D. sign in lieu of the allowed 100 sq. ft. total for both sides.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

1. The variance is necessary for effective advertising.
2. The variance is necessary for compliance with Baltimore County Zoning Regulations.
3. The variance is necessary for compliance with State laws.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I, We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Attorney's Telephone No.:
Address

Legal Owner(s):
Exxon Company, U.S.A.
(Type or Print Name)
Signature
Thomas DuPlessis
Project Engineer
(Type or Print Name)
Signature
11350 McCormick Road 785-6634
Address
Hunt Valley, Maryland 21031
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
David Wang, Frederick Ward Associates
Name
111 W. Main St., Bel Air, MD 21014 (301) 870-2049
Address

ORDERED By The Zoning Commissioner of Baltimore County, this 23rd day of March, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 100 of the County Office Building in Towson, Baltimore County, on the 19th day of February, 1988, at 10:30 o'clock A.M.

J. Robert Harnes
Zoning Commissioner of Baltimore County.

See the file.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
484-3333
J. Robert Harnes
Zoning Commissioner

Mr. David Wang
Frederick Ward Associates
5 S. Main Street
Bel Air, Maryland 21014

Re: Case number: 88-323-A
SE/cor. Liberty and Marriottsville Road
(9835 Liberty Road)
2nd Election District - 2nd Councilmanic District
Petitioner: Exxon Company, U.S.A.

Dear Mr. Wang:

Please be advised that \$84.58 is due for advertising and posting of the above-referenced property. All advertising and posting fees must be paid prior to the hearing. To not receive the signed form, the property from the time it posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and forward to the Zoning Office, County Office Building, Room 113, Towson, Maryland 21204.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 45963

DATE _____ ACCOUNT _____

RECEIVED FROM _____

FOR _____

VALIDATION OR SIGNATURE OF CASHIER

ORDER FOR FILING

88-323-A

Exxon Co., U.S.A.
SE/cor. Liberty & Marriottsville Rd
(9835 Liberty Rd.)
2nd E.D.
2nd C.D.

173

COVAHEY & BOOZER, P. A.
ATTORNEYS AT LAW
816 BOSLEY AVENUE
TOWSON, MARYLAND 21204
AREA CODE 301
928-9444

EDWARD C. COVAHEY, JR.
F. VERNON BOOZER
MARK S. DEWAN
ANTHONY J. DIPAUOLA

February 26, 1988

REPLY TO:
ANNEX OFFICE
SUITE 101
808 BALTIMORE AVE.
TOWSON, MD. 21204
928-9888

Ann M. Nastarowicz
Deputy Zoning Commissioner
County Office Building
110 West Chesapeake Avenue
Towson, Maryland 21204

RE: PETITION FOR VARIANCES
SE/COR. LIBERTY ROAD AND
MARIOTTSTOWN ROAD
(9835 LIBERTY ROAD)
2ND ELECTION DISTRICT -
2ND COUNCILMANIC DISTRICT
PETITIONER: EXXON COMPANY, U.S.A.
CASE NO.: 88-323-A

Dear Mrs. Nastarowicz:

Pursuant to your request during the hearing held on February 19, 1988, I have been advised by representatives at Exxon that Exxon Company, U.S.A. is in fact the owner of the property at issue in this case.

With respect to the sign variance, I frankly do not recall whether you requested a proposal on this site as well. The square footage requested makes the ID sign at this site nearly identical in size to that proposed at the other site on Liberty Road near Florida Road (Case No.: 88-322A), the only difference being that the Florida Road site has a diesel sign as part of its total and this site does not. In the event you will require a proposal reducing the signage requested for this site, please advise as I believe the Petitioner would be willing to reduce the request to the 30-40 sq. ft. system if absolutely necessary.

Thank you for your cooperation and consideration.

Very truly yours,

Anthony J. DiPaola

AJD/jab

RECEIVED
MAR 1 1988
ZONING OFFICE

Ann M. Nastarowicz
Deputy Zoning Commissioner
February 26, 1988
Page 2

cc: Mary Ginn
The Alliance of Baltimore County
Community Councils, Inc.

David Stein
Liberty Communities Development Corp., Inc.

Charles Vaughan
Exxon Company, U.S.A.

David S. Wang
Frederick Ward & Assoc.

John M. Celentano, Pres.
Hernwood Heights Community Assoc., Inc.

Renew, Inc.

HERNWOOD HEIGHTS COMMUNITY ASSOCIATION, INC.
RANDALLSTOWN, MARYLAND 21133

February 8, 1988

Robert Haines
Zoning Commissioner
County Council of Baltimore County
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Case 88-323-A, Item 173

Dear Mr. Haines,

This letter is being submitted on behalf of the two hundred families of Hernwood Heights.

The December 7, 1987 notice of a hearing date for the above mentioned zoning variance was reviewed at the January 19, 1988 meeting of our Association. We note that the actual size of the current sign is not identified in the notice.

None of the residents present at the meeting raised any specific objections to the proposed variance providing that the sign being considered is equal to or smaller than the existing display.

Our concern is that there seems to be unbridled deployment of commercial signs and displays along Liberty Road to the overall detriment of the Randallstown communities. Moreover, we believe that the Exxon name is ubiquitous and easily recognized. As such, this establishment should not require any larger sign than what currently exists to highlight the service station's presence in the neighborhood.

Sincerely,
HERNWOOD HEIGHTS COMMUNITY ASSOCIATION, INC.

John M. Celentano
President

JMC/djp

PROTESTANT'S
EXHIBIT 2

Page 4
Honorable Dennis F. Rasmussen
December 7, 1987

FRIDAY, FEBRUARY 19, 1988 (cont'd): Room 106 County Office Building

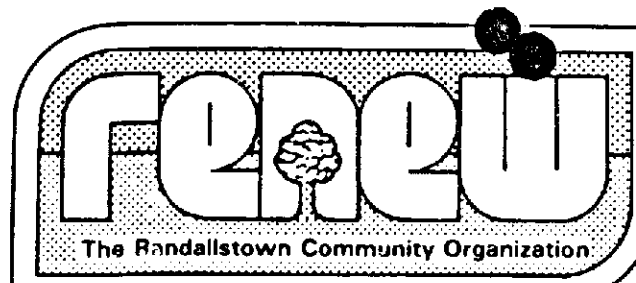
10:30 a.m.
Case 88-323-A
Item 173

SE/cor of Liberty and Marrittsville Road
(9835 Liberty Road)
2nd Election District - 2nd Councilmanic District
Variance to allow the replacement of an existing non-conforming () sq. ft. I. D. sign and pole with a new 158.16 sq. ft. I. D. sign in lieu of the allowed 100 sq. ft. total for both sides.
Petitioner: Exxon Company, U.S.A.

11:00 a.m.
Case 88-324-A
Item 174

NW/cor. Goucher Blvd. & Putty Hill Avenue
(800 Goucher Blvd.)
9th Election District - 4th Councilmanic
Variance to allow the replacement of an existing non-conforming 184 sq. ft. I. D. sign and pole with a new 158.16 sq. ft. I. D. sign in lieu of the allowed 100 sq. ft. total for both sides.
Petitioner: Exxon Company, U.S.A.

ccs: B. Melvin Gule
County Council
James Roswell
People's Counsel
Office of Communications



February 18, 1988

Mr. J. Robert Haines, Zoning Commissioner
Office of Planning and Zoning
County Office Building - Room 103
Towson, MD 21204

RE: Case No. 88-323-A

Dear Mr. Haines:

RENEW, INC. (RENEW) respectfully requests that the Petition for a Variance at 9835 Liberty Road by Exxon Company, U.S.A. be denied.

1. Exxon, U.S.A. has petitioned the Zoning Commissioner for a Variance to allow the replacement of an existing nonconforming I.D. sign and pole at the SE corner of Liberty and Marriottsville Roads (9835 Liberty Road) with a new 158.16 sq. ft. I.D. sign in lieu of the allowed 100 sq. ft. total for both sides.

2. Should the existing nonconforming sign be removed, the 100 sq. ft. limitation prescribed in Baltimore County Zoning Regulations Sect. 413.2(F) would become effective. Any replacement sign in excess of that limit could be permitted only by a Variance.

3. Baltimore County Zoning Regulations Sect. 307--VARIANCES states that "[t]he Zoning Commissioner of Baltimore County...shall...hereby given the power to grant variances...from sign regulations only in cases where strict compliance with the Zoning Regulations of Baltimore County would result in practical difficulty or unreasonable hardship."

4. The existing sign, which is visible to traffic approaching from all directions, clearly identifies the premises. The present size, or a reduction to the regulatory limit would not, in any way, inhibit or impair the ability to entice customers to the location.

5. There being no practical difficulty or unreasonable hardship demonstrated, this Petition should be denied.

Although RENEW is limited by its Articles of Incorporation and By-Laws to issues relating to Randallstown, it is noted that the same objections would also apply to the Petitions by Exxon Company, U.S.A. for Variances to allow oversized signs at 3920 Washington Boulevard (Case 88-320-A), 6122 Edmondson Avenue (Case 88-321-A) and 4029-6033 Liberty Road, (Case 88-322-A).

PROTESTANT'S
EXHIBIT 3

3718 Nurnburn Road • Randallstown, Maryland 21133 • (301) 655-1244



The Alliance of Baltimore County Community Councils, Inc.

January, 1986

Mrs. Mary Ginn
606 Hornercrest Rd.
Towson, MD 21204

Mrs. KC Turner
618 W. Chesapeake Ave.
Towson, MD 21204

TO: Mary Ginn and KC Turner

I, hereby, ask you, as representatives of ABCs - the Alliance of Baltimore County Community Councils, Inc. - to continue to be present at Baltimore County Zoning Hearings.

As stated many times at its monthly meetings, ABCs opposes any variances of Baltimore County's signing code.

Thank you.

Mary B. Basso

Mary Basso, President, ABCs

PROTESTANT'S
EXHIBIT 3



The Alliance of Baltimore County Community Councils, Inc.

January, 1986

Mrs. Mary Ginn
606 Hornercrest Rd.
Towson, MD 21204

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Thank you.

Mary B. Basso

Mary Basso, President, ABCs

LIBERTY COMMUNITIES DEVELOPMENT CORPORATION, INC.
3820 Fernside Road
Randallstown, MD 21133
(301) 655-7766

Liberty Communities Development Corporation (LCDC)

Resolved: That the position of the Liberty Communities Development Corporation as adopted by the Board of Directors on January 18, 1988 on the zoning matters known as:

Case Numbers 88-322-A and 88-323-A for Variances to allow the replacement of existing non-conforming I.D. signs and poles with a new 196.56 sq. ft. sign (8029 Liberty Road) and a new 158.16 sq. ft. sign (9835 Liberty Road) by Exxon Company, USA.

is that: "the Board (LCDC) oppose these petitions." Further, "The staff (Jim Janas and/or David Stein) receive authority, sanction and instructions to testify on behalf of the organization."

AS WITNESS OUR HANDS AND SEAL THIS 19 DAY OF JANUARY 1988

Attest: Liberty Communities Development Corporation

Secretary

President

PROTESTANT'S
EXHIBIT 4

HARSTAN REALTY CO.
DTG 5123/400

SOUTHLAND CORPORATION
ENH, JR. 5039/438
ZONED D.R. 3.5

1 STORY BRICK
3-BY STORE
STORE NO. 22311

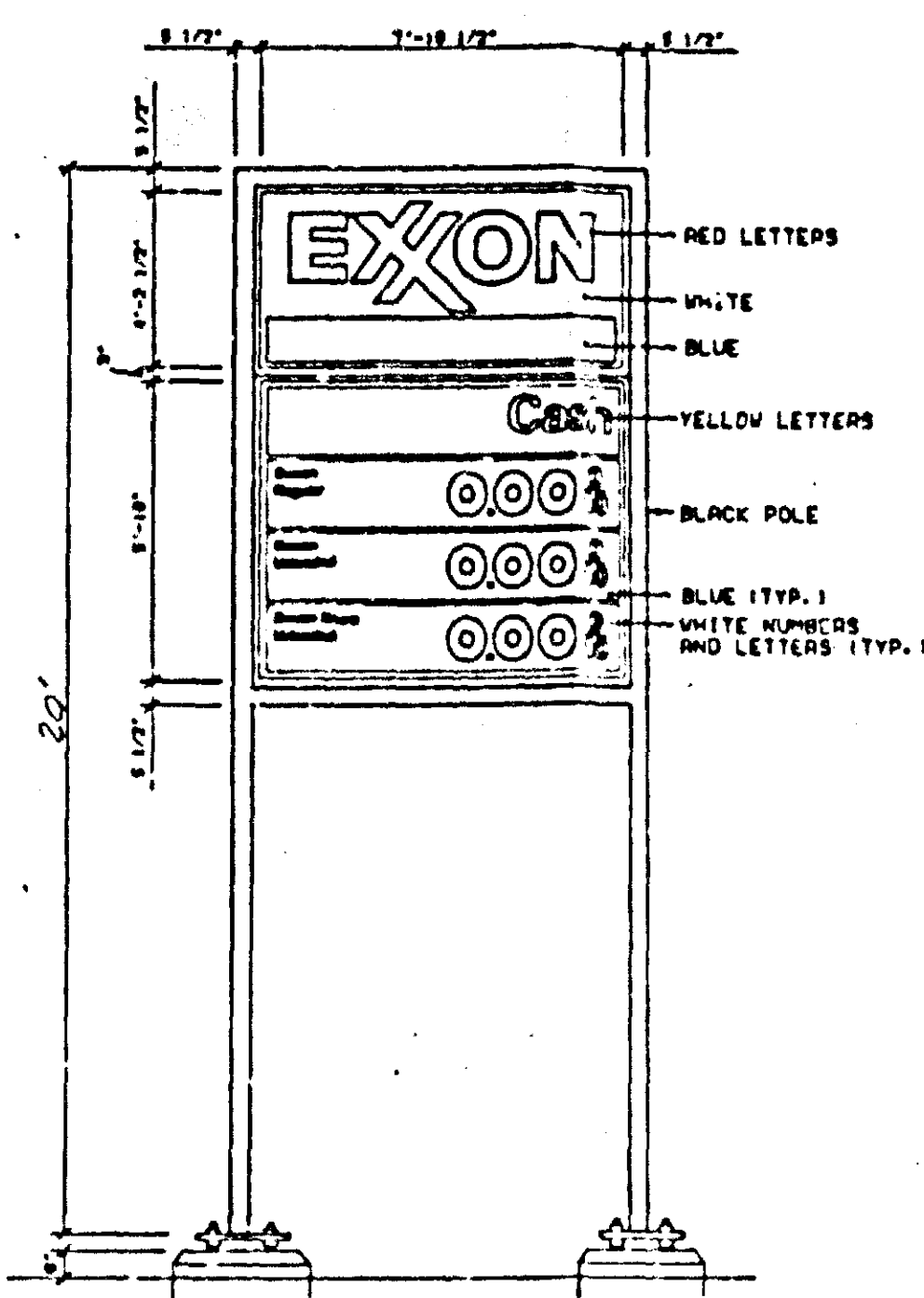
BALTIMORE COUNTY TAX MAP 78 PARCEL 257
EXXON CORPORATION
DTG 4722/837
SEE ALSO CERTIFICATE OF MERGER
RECORDED AT ENH, JR. 5389/985
AREA = 1.055 ACRES ±
(45391 SQUARE FEET)
ZONED BL-CCC

1 STORY BRICK AND BLOCK
3-BAY SERVICE STATION
FIRST FLOOR EL. 630.66
3835

HARSTAN REALTY CO.
DTG 5123/400
LEASED TO FIRST FEDERAL
SAVINGS & LOAN ASSOCIATION
ENH, JR. 5337/874
ZONED BL-CCC

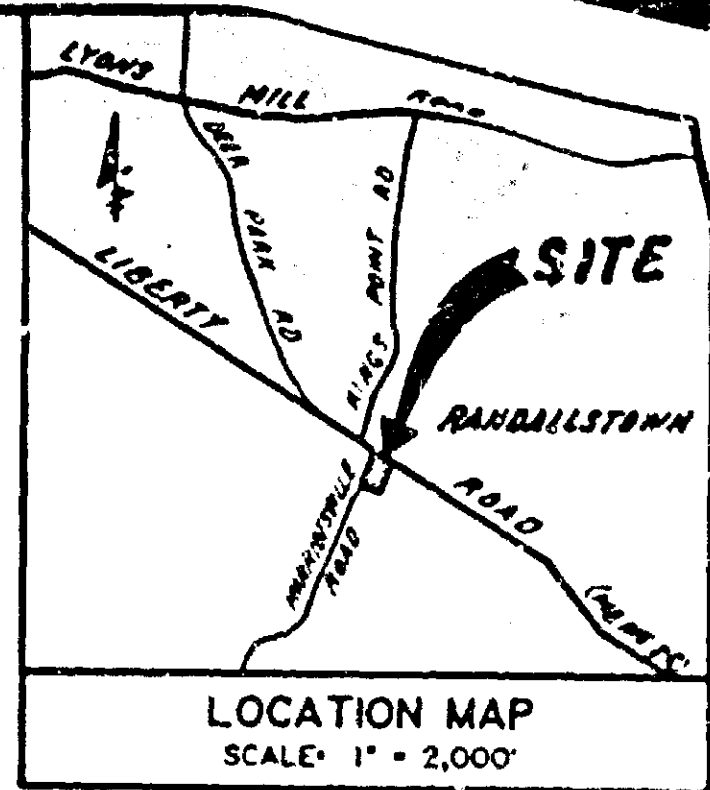
LIBERTY ROAD (MD RTE. 26)

NOMINAL 40 SF SYSTEM



ACTUAL SIGN FACE AREAS:
33.14 SF EXXON ID
45.94 SF PRICE

79.08 SF TOTAL SYSTEM (ONE SIDE)
158.16 SF TOTAL (TWO SIDES)



EXISTING SIGN
(TO BE REMOVED)

Existing Station - No Change
Existing Zoning - BL-CCC
Proposed Zoning - BL-CCC

Area Requirements
Dispenser Island - 12' x 12'
Pumps Serving - 22 CARS PER HOUR
Total Servicing Spaces - 12
Total Servicing Bays - 12
Total Area Required - 12' x 12'

Additional Area Required - None
Existing Combination Uses - None
Total Area Required - 12' x 12'

Access to Site - No Change
Driveway on Liberty Road - 12' x 12'

Landscaping - No Change
50' of Land - 12' x 12'

Parking - No Change
1-Bay Service Station
Parking Spaces Required - 12
Parking Spaces Provided - 12

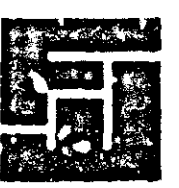
Lighting - No Change
Existing Mercury Floodlights on Concrete Base

PETITIONER
EXHIBIT 1



I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THIS SURVEY, MADE ON THE GROUND UNDER MY SUPERVISION ON JULY 2, 1987, CORRECTLY SHOWS THE PROPERTY LINES AND RELATIONSHIP OF BUILDINGS AND OTHER STRUCTURES TO THE PROPERTY LINES AND THE LAND INDICATED HEREON THAT THERE ARE NO ENCROACHMENTS OF BUILDINGS OR STRUCTURES ONTO SAID LAND EXCEPT AS SHOWN.

VINCENT X. NOHE R.P.L.S. #308 (MD)
DATE 8/4/87



FREDERICK WARD ASSOCIATES INC.
ENGINEERS • ARCHITECTS • SURVEYORS
6 SOUTH MAIN STREET
BEL AIR, MARYLAND

REVISIONS

PLOT PLAN - ZONING VARIANCE

EXXON COMPANY, U.S.A.

LOCATED AT
9835 LIBERTY ROAD, RANDALLSTOWN, MD 21133
SECOND ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

DATE 8/4/87
SCALE 1" = 20'
DESIGNED BY
DRAWN BY
R.O.S.
SHEET 1 OF 1
FRA JOB NO.
87206
SITE NO.
2-5582



SOUTHLAND CORPORATION
ENK, JR 6099/432
ZONED D.R. 3.5

1 STORY BRICK
7-11 STORE
STORE NO. 22311

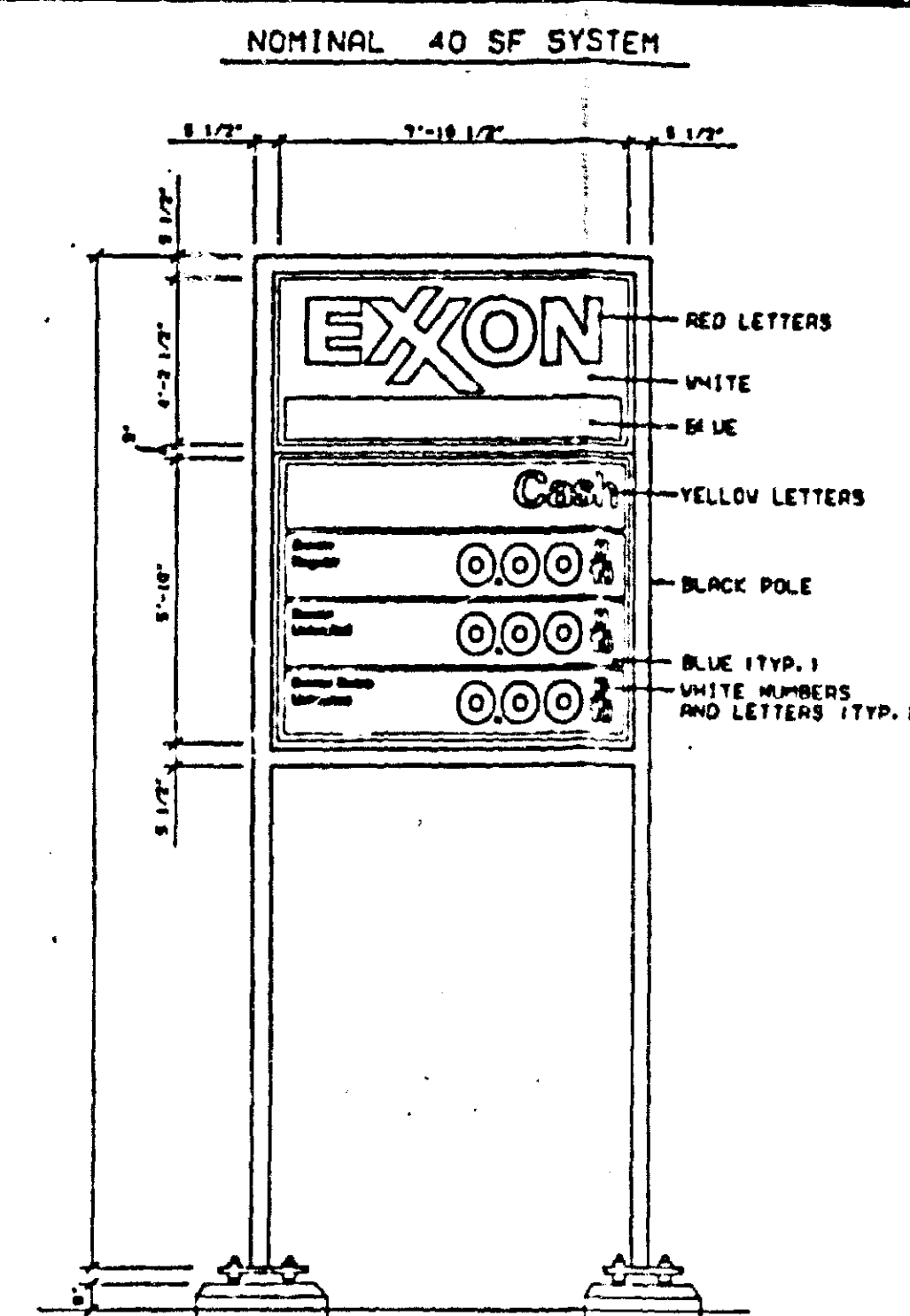
BALTIMORE COUNTY TAX MAP 78 PARCEL 257
 EXXON CORPORATION
 OTG 4722/837
 SEE ALSO CERTIFICATE OF MERGER
 RECORDED AT E&H, JA 5909/995
 AREA = 1.055 Acres ±
 (45391 SQUARE FEET)
 204-36
 ZONED BL-COO

63.0'
1 STORY BRICK AND BLOCK
3 BAY SERVICE STATION
FIRST FLOOR EL. 630.26

HARSTAN REALTY CO.
375 5123/400
LEASED TO FIRST FEDERAL
SAVINGS & LOAN ASSOCIATION
ENK, JR. 5537/874
ZONED BL-CCC

LIBERTY ROAD (MD RTE. 26)

18" SAN -
WARRIOTSVILLE ROAD
WARRIOTSVILLE, CALIFORNIA



ACTUAL SIGN FACE AREAS:
33.14 SF EXXON ID
45.94 SF PRICE

79.08 SF TOTAL SYSTEM

August 3, 1987

1.055 acre parcel of land surveyed for Exxon Company, U.S.A., located at 9835 Liberty Road, Randallstown, Second Election District, Baltimore County, Maryland.

BEGINNING for the same at a P.K. nail heretofore set at the intersection of the south side of Liberty Road, a 66 foot wide right-of-way heretofore laid out and the east side of Marriottsville Road, a thirty foot wide right-of-way heretofore laid out. Said point of beginning also being the intersection of the tract or parcel of land conveyed by Chesapeake Clipping Machine Company, Inc. to the Oil and Refining Company by a deed dated February 3, 1967 as recorded among the land records of Baltimore County in Liber 100, folio 37, thence from the point of beginning and binding on the southerly right-of-way line of Liberty Road as aforesaid.

(1) South 57° 17' 26" East, 248.44 feet to a point in the division line between the herein described parcel of land and that tract or parcel of land conveyed by Elia L. Chas. to Harstan Realty Company by a deed dated August 21, 1970 as recorded among the land records of Baltimore County in Liber 682 5123, folio 400. Thence leaving the southerly side of Liberty Road and binding on the division line as aforesaid.

(2) South 22° 37' 12" West, 7.11 feet to an iron bar now set. Thence continuing

(3) South 22° 37' 12" West, 192.68 feet to an iron pipe heretofore set at the beginning of the third line of that tract or parcel of land conveyed by The Exxon U.S.A. Foundation to the Southland Corporation by a deed dated August 3, 1979 as recorded among the land records of Baltimore County in Liber FMR, Jr. 6099, folio 432. Thence binding on said third line,

(4) North 57° 06' 44" West, 229.10 feet to an iron pipe heretofore set on the easterly side of Marriottsville Road widened to 60 feet wide. Thence binding on the easterly side of Marriottsville Road and on the easterly side of a fifteen foot wide widening strip as conveyed by Humble Oil and Refining Company to Baltimore County, Maryland by a deed dated June 30, 1967 as recorded among the public records of Baltimore County in Liber UTE 1784, folio 664.

(5) North 21° 26' 34" East, 166.30 feet to the northeasterly most point of the aforesaid fifteen foot wide widening strip. Thence binding on the northerly side thereof.

(6) North 68° 33' 26" West, 15.00 feet.

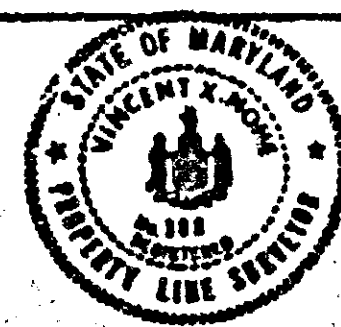
(7) North 21° 26' 34" East, 36.73 feet to the point of beginning thereof.

CONTAINING 1.055 acres of land more or less.

BEING the remainder of that tract or parcel of land conveyed by Chesapeake Clipper Realty Company to Humble Oil and Refining Company on or about February 3, 1967 as recorded among the land records of Baltimore County, Maryland in Liber OTG 4722, folio 237. Humble Oil and Refining Company having subsequently merged into Exxon Company, U.S.A., Inc., by a Certificate of Merger dated December 18, 1972 as recorded among the aforesaid land records in Liber EXN, Jr. 5389, folio 945.

FARNSH


STANDARD SPACES PROVIDED = 9 SPACES (8 STANDARD AND 1 H.C.)



I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THIS SURVEY, MADE OF RECORD UNDER MY PERMISSION ON JULY 2, 1987, CORRECTLY SHOWS THE PROPERTY LINES AND ADJACENT OWNERSHIP OF BUILDINGS AND OTHER STRUCTURES TO THE PROPERTY LINES AND THE LAND INDICATED HEREON THAT THERE ARE NO ENCROACHMENT OF BUILDINGS OR STRUCTURES ONTO SAID LAND EXCEPT AS SHOWN.

Vincent X. Nohe E/4/87

VINCENT X. NOHE R.P.L.S. #308 (MO) , DATE



REVISIONS

PLOT PLAN - ZONING VARIANCE

EXXON COMPANY, U.S.A.

LOCATED AT
9835 LIBERTY ROAD, RANDALLSTOWN, MD 21133
SECOND ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

DATE	7/29/87
SCALE	1" = 20'
DESIGNED BY	
CHECKED BY	R.O.S.

SITE NO.
2-5582
SHEET 1 OF 1
FWA JOB NO.
87206

SUBJECT: CONCEPT PLAN COMMENTS

CPC DATE: 3/14/94
10:00 a.m., Room 301

FROM: ZADM - DEVELOPMENT CONTROL

PROJECT NAME: Exxon Station
Liberty & Marriottsville Roads

PLAN DATE: 2/10/94

LOCATION: S/S Liberty Road and
E/S Marriottsville Road

REV.: REV.:

REVISED PLAN KEY:

(X) COMPLIANCE WITH COMMENT CHECKED

(O) NON-COMPLIANCE IS CIRCLED

(B) BE ADVISED (NOT NECESSARY FOR CONCEPT

PLAN APPROVAL, BUT MUST BE ADDRESSED
PRIOR TO FINAL ZONING APPROVAL)

ADDITIONAL COMMENTS ADDED LAST BY PLAN DATE

DISTRICT: 2c2
PROPOSAL: Existing Fuel Service Station
with Proposed Ancillary Convenience
Store and Use-in-Combination
Car Wash Requiring Special
Hearing, Special Exception,
and Variances

The plan has been reviewed by the staff at this level of detail and with the exception of comments #3-7, has been found to be in general compliance with the Baltimore County Zoning Regulations. The following additional advisory comments are generalized for the concept plan and they do not identify all details and inherent technical zoning requirements necessary in order to determine final compliance with these regulations. To avoid any possible delays in the development review and zoning approval process, when these details and final technical information are identified or changed, this office should be contacted and it should be the responsibility of the owner, developer or developer's engineer to rectify any zoning conflicts well in advance of any expected final approvals. The intent of the developer must be clear on the plan, including any previous and proposed zoning hearing requests. Only if necessary, will the following comments be up-dated and/or supplemented during review of the building permit.

- Fuel service stations are permitted by special exception in the B.L.-C.C.C. zone and district. Fuel service stations existing legally prior to January 27, 1994 are permitted to add ancillary uses (such as the proposed convenience store) as of right per Section 405.6 (BCZR) subject to certain requirements. The use-in-combination car wash requires a special exception and is subject to all Sections 405, 409, and 419 (BCZR) site standards.
- Correct, label, and show all zone lines on site and within 100 feet of all lot lines per the 1"=200' scale 1992 zoning map NW-8J. Adjust all calculations and minimum setback and buffer lines accordingly.

(OVER)

CONCEPT PLAN COMMENTS

PROJECT NAME: Exxon Station
Liberty & Marriottsville Roads

CPC DATE: 3/14/94

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- List all required zoning public hearings and state what relief is being requested (in lieu of the required site standards if a variance) and cite all BCZR section numbers in addition to keying all hearing requests to their location on the plan. Some obvious hearings required are:

A. A special exception for a use-in-combination convenience store.

B. A special hearing to amend the previous approved plans in the prior zoning cases as referenced in plan note G and to convert a full-service station to gas and go.

C. Variances listed by the developer's engineer once all required site standards are indicated.

- Zoning History: In addition to the zoning case numbers listed on the plan, state verbatim what was granted or denied in each case. The relief granted must be specifically shown on the plan and any restrictions must be listed and compliance addressed. Also state any intention to change or abandon any of these hearings and if a zoning hearing is required, list this request on the plan. Clarify plan note G.3 which lists a "variance from zoning district"??

The following comments are for the future development plan:

- Site Standards (to be shown on sheet 2 of 4): Indicate, label, and dimension all required landscape buffers as required by Sections 405.4.B and C and also 419.4.B.3 and 4 (BCZR). The 10-foot buffer along the street right-of-ways cannot be met without revising the plan. If this situation cannot be corrected list, dimension, and request the appropriate zoning variance and key the locations on the plan. Confirm with the Office of Planning and Avery Harden of Development Plans Review if the signs and light proposed to be located in the required buffers are permitted by the landscape manual. If not, request the appropriate variances. Indicate the manufacturer's hourly rated capacity for the car wash.

(OVER)

CONCEPT PLAN COMMENTS

PROJECT NAME: Exxon Station
Liberty & Marriottsville Roads

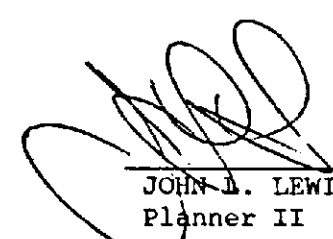
CPC DATE: 3/14/94

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- Parking/Stacking: Note that paving will be durable, dustless (name type) and that all parking and maneuvering areas will be permanently striped. Per Section 410 (BCZR) stacking is not permitted to block required parking and maneuvering areas. Reconfigure the stacking to comply. Indicate and note on the plan that stacking area will be permanently and distinctly marked on site. Otherwise, list and key all required zoning variances from Sections 409.4 and 409.10 (BCZR). Dimension all stacking spaces at 20 feet in length, not 18 feet as shown. Designate all parking spaces for each particular use on the site as required by Sections 405 and 419 (BCZR). Show all traffic directional arrows on site. List, key, and variance any deficiencies from these requirements and reference all applicable section numbers.

- Signs: This site was the subject of a previous variance as referenced in the plan notes. Clarify the intent on utilization, abandonment, or amendment to this previously granted zoning variance. Indicate the number of free-standing advertising signs, inclusive of all spreader bars, and detail these with separate and sub-totaled square footage on the plan. If more than three free-standing signs are proposed and for all square feet above 100 square feet, request the appropriate zoning variances per Sections 413.2 and 413.5 (BCZR). Indicate a scaled dimensioned detail and state if single or double-faced for all spreader bar signs containing logos, company name, or other advertising. Correct all sign calculations accordingly. Adjust all sign variance requests accordingly.

Final zoning approval is contingent first, upon all plan comments being addressed on the development plan; and secondly, upon the final resolution of all comments, the outcome of any requested zoning hearings and finally, the inclusion of the blue commercial checklist information being included on the building permit site plans.


JOHN D. LEWIS
Planner II

JLL:scj